

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Rev 2300(various)

<p>1. Agency Name & Address:</p> <p>NH Dept of Revenue Admin. 109 Pleasant Street Concord NH 03301</p>	<p>2. RSA Authority: RSA 21-J:13, I; RSA 84-A:9</p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption <u> x </u></p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u> x </u></p>
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5. Short Title: **Medicaid Enhancement Tax**

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

The new proposed Rev 2301.02 is being adopted to define a term due to RSA 84:A-2 which changed gross patient services revenue to net patient services revenue in 2004; the new proposed rule also causes current Rev 2301.02 and Rev 2301.03 to be renumbered; it is also being amended by removing the reference to expired DHHS rules and adding language defining the hospitals. Rev 2303.01 relative to forms is being amended to comply with the repeal of RSA 541-A:16-a.

The effect of these rules is to clarify the rules relative to net patient services.

6. (b) Brief description of the groups affected:

Hospitals that are disproportionate share non-psychiatric hospital or hospitals which are in-state general hospitals and special hospitals for rehabilitation, licensed under RSA 151, and who receive Medicaid Diagnosis Related Groups (DRG) payments, not government facilities, and are subject to the RSA 84-A medicaid enhancement tax.

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6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE STATUTE IMPLEMENTED

Rev 2301.02 New RSA 84-A:9, I

Rev 2301.02 renumbered to 2301.03

RSA 84-A:9, I

Rev 2301.03 renumbered to 2301.04

RSA 84-A:9, I

Rev 2303.01 RSA 84-A:4

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Gail Bartlett**

Title: **Paralegal II**

Address: **109 Pleasant Street
Concord NH 03301**

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TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **May 26, 2009**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **May 13, 2009 2 p.m.**

Place: **NH Dept of Revenue Administration**

109 Pleasant Street

Concord NH 03301

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # **09:042** , dated **3/27/09**

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution: **The rule does not create a new program or responsibility, or modify an existing one. The rule does not apply to political subdivisions and there is no mandate to increase costs to a political subdivision. The rule does not violate Part 1, Article 28-a of the NH Constitution.**